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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/052,419

01/18/2002

Tara Kimbrell Cole

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EXAMINER

WEIS, SAMUEL

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

05/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/052,419	Applicant(s) COLE, TARA KIMBRELL	
	Examiner Samuel S. Weis	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 1-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicant's election filed April 30, 2007. Claims 1-9 have been examined.

Claim Objections

2. Claims 1-7 are objected to because of the following informalities: claim 1 is missing a period (.) at the end. Appropriate correction is required. Claims 2-7 are objected to because they are dependent upon an objected to base claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Stroh, U.S. Pat. No. 7,155,409.

As to claim 1, Stroh discloses a method of operating a computerized forfeiting exchange comprising:

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providing a web site accessible via the internet to sellers and buyers using computers (col. 45, lines 21-26);

providing a counter party selection document on request to a seller or buyer to view at the web site, where the document contains a list of classes of counter parties together with counter party selection entry facilities (Figs. 12 and 16 and col. 48, lines 25-38); permitting a seller to identify classes of buyers with whom they will, or will not, develop a forfaiting transaction, by entering selections on the counter party selection document using the counter party selection entry facilities (col. 9, line 59-col. 10, line 17; Figs. 12-16);

providing an offer document on request to a seller to view at the web site, where the offer document contains the following items: a list of classes of asset together with asset selection entry facilities and asset information entry facilities for entry of details of the asset (Figs. 12-16; col. 9, line 59-col. 10, line 17; col. 45, lines 21-26),

a list of terms for the offer together with offer selection entry facilities and information entry facilities for entry of details of the offer (Figs. 7-11C),

a list of offer documents to accompany the elect together with offer document selection entry facilities and offer document attachment facilities for attaching copies of offer documents (Figs. 12-15),

a list of undertakings for the seller to make together with undertaking selection entry facilities and undertaking document attachment facilities for attaching copies of undertaking documents (Figs. 12-15 and 17; col. 45, lines 21-26);

permitting the seller to create an instance of the offer document (Fig. 5), by:

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identifying the asset to be offered by using the asset selection entry facilities and asset information entry facilities (Figs. 7, 8, and 12),

identifying the terms for the offer by using the offer selection entry facilities and offer information entry facilities (Figs. 7, 8, and 12)

identifying the offer documents to accompany the offer by using the offer document selection entry, facilities and offer document attachment facilities (Figs. 7, 8, and 12),

identifying the undertakings to be made by using the undertaking selection entry facilities and undertaking document attachment facilities (Figs. 7, 8, 12, and 17);

permitting the seller to submit an instance of the offer document, so that it becomes available to view by potential buyer from only the classes of buyers identified as being those whom the seller will develop the transaction (Figs. 12-15);

providing a counter offer document on request to a buyer after they have viewed an offer document, where the counter offer document contains counter offer selection and counter offer information entry facilities for entry of variations to an offer document instance (Figs. 12-15);

permitting the buyer to create an instance of the counter offer document by entering selections and information using the counter offer selection and information entry facilities, and to submit the counter offer instance, so that it becomes available to the seller (Figs. 12-15);

providing a counter offer document on request to any party after they have viewed an instance of a counter offer document, where the counter offer document contains

counter offer selection and information entry facilities for entry of variations (Figs. 12-15);

permitting the party to create an instance of the counter offer document by entering selections and information using the counter offer selection and information entry facilities, and to submit the counter offer instance, so that it becomes available to the counter party (Figs. 12-15).

As to claim 2, Stroh discloses the method according to claim 1, comprising the further step of repeating the last two steps (Figs. 12-15).

As to claim 3, Stroh discloses the method according to claim 1, where the document available at the web site contain electronic links to independent sources of financial information (Fig. 17).

As to claim 4, Stroh discloses the method according to claim 1, where the document available at the web site contains electronic links to standardized forms of documents, such as asset definition documents used to support instances of the offer document (Figs. 12, 16, and 17).

As to claim 5, Stroh discloses the method according to claim 1, where the document available at the website contains electronic links to standardized forms of undertaking documents (Fig. 17).

As to claim 6, Stroh discloses the method according to claim 1, comprising the further step of the exchange providing the on-line assistance in completing the process (Figs. 12-16).

As to claim 7, Stroh discloses the method according to claim 1, comprising the further step of the exchange providing an asset screening document for use by potential buyers to select the types of asset they wish to view, and not view (Figs. 12-16).

As to claim 8, Stroh discloses a computerized forfailing exchange comprising:
a web site accessible via the Internet to sellers and buyers using computers (col. 45, lines 21-26);
a database associated with the web site and storing (col. 29, line 1 – col. 33, line 10; Figs. 12-16); a counter party selection document, where the document contains a list of classes of counter parties together with counter party selection entry facilities;
an offer document, where the offer document contains the following items (col. 29, line 1 – col. 33, line 10; Figs. 12-16):
a list of classes of asset together with asset entry facilities and asset information entry facilities for entry of details of the asset (col. 29, line 1 – col. 33, line 10; Figs. 12-16),
a list of terms for the offer together with offer selection entry facilities and offer information entry facilities for entry of details of the offer, a list of offer documents to accompany the offer together with offer document selection entry facilities and other document attachment facilities for attaching copies of offer document (col. 29, line 1 – col. 33, line 10; Figs. 12-16),
a list of undertakings for the seller to make together with undertaking selection entry facilities and undertaking document attachment facilities for attaching copies of undertaking documents (col. 29, line 1 – col. 33, line 10; Figs. 12-16);

a counter offer document containing counter offer selection and information entry facilities (col. 29, line 1 – col. 33, line 10; Figs. 12-16);

a processor associated with the web site and the database and operable on request to retrieve a document from the database to view at the web site (col. 29, line 1 – col. 33, line 10; Figs. 12-16);

the processor being further operable on request either to permit the entry of selections and information to create instances of documents on-line (col. 29, line 1 – col. 33, line 10; Figs. 12-16);

the processor being further operable to permit viewing of instances of offer documents by potential buyers, depending upon the selections and entries made by the seller in counter party selection document (col. 29, line 1 – col. 33, line 10; Figs. 12-16).

As to claim 9, Stroh discloses a computerized forfailing exchange according to claim 8 comprising a printing facility operable on request to print an offer document for use off-line (Figs. 12 and 16).

Conclusion

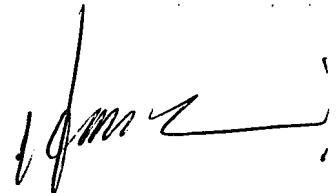
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel S. Weis whose telephone number is (571) 272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samuel S. Weis



HANI M. KAZIMI
PRIMARY EXAMINER